App F IX 4

Previous References

1951-52 (C-M

File No 2-

Serial Nos 3,

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1 to

P27-E Part B for July 1951

SUBJECT

Appointment of two advocates for the Corporation

To the Commission
" Mahatta Commission
" C.S.A.&
L. 3505-1 (M 2-51-4) 11.7.51
San Jose

Encl
25/10/51

WD 010861—GPB—25 000—18-9-50

G R S APP F III—1]

GENERAL AND REVENUE SECRETARIAT

( )

NOTES

File No

FILE HEADING

Appointment of Advocates for the Corporation

FROM The Coeecer Corporation of the city of Bla

No B 2/6/51-52 Dated 7-5-51 Received

Diary No 983 ml	Enclos	Spare copies	Serial No

BRIEF ABSTRACT OF LETTER

Forwards for sanction the Resolution dated 23 4 51 of the Corporation to appoint two Advocates for the Corpn - one for the city area and another for cant Sta

NOTES AND ORDERS

1) The Advocates are proposed to be paid a Retainering fee of Rs 150/ p m each plus advocacies fee and - the Resolution also authorises application being called for from members of the Bar having 10 years standing, the term being Co terminous with that of the Councillors

2) Under the proviso to Sec 90 (3) of the Corporation Act the creation of any new office the monthly salary of which exceeds Rs 100/ Requires the sanction of Govt the Coeecer has therefore

NOTES—First Sheet

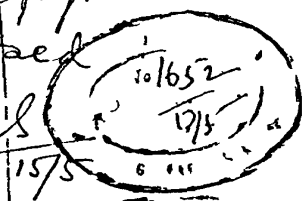
WD 010865—GPB—20 000—2 8-50

Seeks Sanction to the creation of three posts. It is also for consideration whether the Crown & the Law Secretary's necessary Enquiry as to remuneration proposed to be paid to them

Law 14/5/57
14/5

3) The resolution of the Corporation of Bangalore dated 23rd April 1957 may be appd in consultation with the Law Secty re payment of remuneration proposed

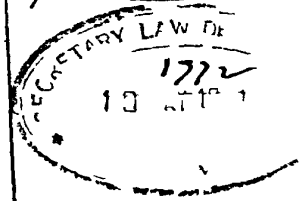
d S & Secy) MS 15/5



4) for favour of Remarks

Law Secy) MS 17/5/57

MS 18/5



Law
19/5
19/5

Re Appointment of two Advocates for the corporation of Bangalore

5) The resolution of the Corporation of Bangalore dated 23rd April 1951 is for kind perusal

6) The subject matter relates to the appointment of two Advocates for the corporation at Rs 150/- each

7) The Government pleaders in the state are paid Rs 100/- per mensem with an advalorem fee for the individual cases that they may be entrusted

8) The public prosecutors of Bangalore Mysore Shimoga Dharwar and of the civil station Bangalore are in receipt of a pay of Rs 250/ p m

9) The pay of the public prosecutors of the following Districts have been fixed at Rs 200/- p m

1) Chitaldrug
2) Kolar
3) Tumkur
4) Chickmagalur
5) Mandya
6) Hassan

10) The public prosecutors of the above 6 Districts are also ex officio Government pleaders of their respective Districts and they are entitled to fees for the civil cases in which they appear in the concerned courts on behalf of Government

11) ~~submitted~~ for orders as to whether The two Advocates to be appointed for the Corporation one for the city Area and another for the civil station area may be paid at Rs 150/- p m each plus advalorem fee or at Rs 100/ p m as in case paid to Government pleaders in the state

Rh 16/6

is submitted that the question of appointing Legal practitioners by the Municipalities or Corporations is not governed by the Manual of Rules and Orders for the Conduct of the Legal Affairs of Govt - The Corporation is a local body and it is free to appoint its own Legal practitioners - On a reference to the records of the Law Section for the past many years, it is seen that this question was not dealt with by the Law Branch

13) It is respectfully submitted that the Law Branch has no remark to offer on this behalf

CPO 16/6

14) It is not clear what exactly is the point on which any legal opinion could be furnished by the Law Branch. -

Secy) 18/6

15) The question is not one for legal opinion in the sense that a point of law has arisen - But the Law Deptt being the Secretariat dealing with Legal Practitioners, it is their remarks as Administrative Secretariat that is asked for -

16) I think the recommendation made by the M'C'L for two advocates on the basis of a retainer of Rs 150 p m plus fee for civil cases to be entered by them is fair & reasonable & may be approved —

Secy Edg)

21/6

21/6

21/6

/CM 2-51-3
97751

CORPORATION OF THE CITY OF BANGALORE

No B 2/6/51-52

CORPORATION OFFICES,
BANGALORE

Dated 7th May 1951

FROM

THE COMMISSIONER
CORPORATION OF BANGALORE,
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self-Government Department,
Bangalore

SIR

Subject - Appointment of two Advocates for the Corporation at Rs 150/- per mensem each, plus Advalorem fee, one for the City area and another for the Civil Station area

I write to inform you that there are at present two posts of Municipal Advocates, one for the City area and the other for the Civil Station area The Advocate of the City area is working on a contract basis on a monthly pay of Rs 200/- and his term of office expired on 31st January 1951 and the Advocate of the Civil Station area is paid a monthly retention fee of Rs 75/- plus remuneration based on Civil Rules of Practice and his term may be terminated with due notice at any time

At the time when the Schedule of Establishment was considered by the Standing Committee (Taxation and Finance), on 22nd March 1950 and by the Corporation on 8th May 1950, they sanctioned only one post of Municipal Advocate for both the areas on a monthly remuneration of Rs 200/- being the retainers fee with an advalorem fee for the individual cases that may be entrusted to him The resolution in question was not implemented as it was thought advisable to watch whether one Advocate would be able to handle all the cases experience has since shown that there is a necessity for two Advocates The question of appointing only one Advocate as per the sanctioned schedule was further considered by the Standing Committee (Taxation and

Finance), and the Corporation at their meetings held on 15th March 1951 and 23rd April 1951 respectively The Corporation have now resolved that in modification of the original resolution, two Advocates be appointed for the Corporation at Rs 150/- per mensem each plus Advalorem fee, one for the City area and another for the Civil Station area - vide copy of the resolution No 29 dated 23rd April 1951 together with the recommendation of the Standing Committee (Taxation and Finance) dated 15th March 1951 enclosed It will be seen from the recommendation of the Standing Committee (approved by the Corporation) that the period of the two Advocates will be co-terminous with that of the Councillors

I request that the Government may kindly be pleased to accord sanction to the creation of the above two posts at an early date

Yours faithfully,

Commissioner

Forwarded with compliments

R. Arumugham

MAYOR

MVL.
7-5-51

Resolution passed at the Ordinary Meeting of the Corpa of the City of Bangalore, held on the 23rd April 1951

---

29. Recommendation of the Standing Committee (Taxation and Finance) dated 15th March 1951, that in modification of the original resolution, two Advocates be appointed for the Corporation at Rs 100/- each plus advalorem fee, one for the City area and another for the Civil Station area

Sri H S Seetharam moved the following resolution:-

"Resolved that the recommendation of the Standing Committee (Taxation and Finance) dated 15th March 1951, for the appointment of two Advocates for the Corporation at Rs 100/- each plus advalorem fee, one for the City area and another for the Civil Station area, be approved with the modification that the retaining fee be fixed at Rs 150/- instead of Rs 100/-

It is further resolved that applications be called for, from the members of the bar having 10 years standing "

Sri D R Shivappa seconded the resolution and it was passed

(Sd) R Anantaraman,

MAYOR

[illegible]

[illegible]

Proceedingsof the Meeting of the Standing Committee (Taxation and Finance) held on the 15th March 1951

---

8 Consideration of the question of appointment of a Municipal Advocate

Sri V K Govindarajalu wanted to know whether it was a fact that Sri Shankara Rao was being engaged for certain cases relating to City area also and expenditure was being incurred on that account even though there was an Advocate paid by the Corporation for the City area He wantea to know as to why additional expenditure was being incurred

As the Commissioner was not present then this side question was deferred to be taken up in his presence

Sri V K Govindarajalu suggested that two Advocates be appointed and that a retainer's fee of Rs 100/- each plus advolarem be paid

Sri K S Kumaran suggested that only one Advocate may be appointed with a suitable fee as retainer's fee plus advolarem

Srimathi Thripurasundaramma suggested that two persons may be appointed and their fee be suitably fixed

Sri Basavalingappa suggested that two persons may be appointed with a retainer's fee of Rs 50/- plus advolarem

P T O

At this stage the Chairman explained the office note and the previous resolution passed by the Standing Committee and approved by the Corporation for appointing only one Advocate on Rs 200/- plus advolarem fee

Sri S A Asirvadham suggested that instead of only one Advocate on Rs 200/- two may be appointed on Rs 100/- each plus advolarem

The Chairman explained that in case two were to be appointed the previous resolution of the Corporation had to be modified and a fresh recommendation may have to be made by the Standing Committee for approval by the Corporation

This was agreed to and the following recommendation was made:-

"Recommended that in modification of the original resolution two Advocates be appointed for the Corporation area at Rs 100/- each plus Advolarem fee, one for the City and another for the Civil Station area

Recommended that their period be co-terminus with that of the Councillors of the Corporation

Recommended further that applications be called for the two posts by advertisement from applicants with at least 10 years standing "

Sd K NARAYANA
Chairman
Standing Committee (Taxation & Finance)

"Copy"

COMMISSIONER

G P S App F G 3

GENERAL AND REVENUE SECRETARIAT

~~(Continuation sheet draft form)~~

4 Copies

/CM 2-51-4
Dy 5 7 51

Proceedings of the Cabt of Mtg

Read

letter No B 2/6/51-52 dated 7 5 51 from the Commr, Corporation of the city of Bgre forwarding for sanction the ~~Corporation~~ resolution dated 23 4 51 ~~of the Corporation~~ recommending the appointment of two Advocates for the Corporation, one for the city area and another for the civil station area, with a retainers fee of Rs 150/ p M each and also an advalorem fee for the undisputed cases that may be entrusted to them, their fees & other terms & conditions with that of the Councillors of the Corporation

(P T O)

WD 0681 —GPB—25 000—26 7 49

Der no 4 3508-10/Con 2 84 4
11 7 84

Extraordinary Resolution of the Corporation

Sanctioned

Mu
L S G Secy
2/3016 Asst 29/6/84

To

1) The Councillors, Corporation of the City of Bhopal
(Through the Mayor)

2) " Controller, Fin & Accts Dept

3) " Assessor, Corporation of the City of Bhopal

PROCEEDINGS OF THE GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE

READ:-

Letter No P2 6/51-52 dated 7th May 1951 from the Commissioner, Corporation of the City of Bangalore, forwarding for sanction the Corporation resolution dated 23rd April 1951 recommending the appointment of two Advocates for the Corporation, one for the City area and another for the Civil Station area, with a retainer's fee of Rs 150/- per mensem each ~~with~~ and also an advalorem fee for the individual cases that may be entrusted to them, their term of office being co-terminous with that of the Councillors of the Corporation

ORDER NO L 3508 CO /CM 2-51-4

D'TED, BANGALORE, the 11th JULY 1951

Sanctioned

For Secretary to Government,
L S G Department

To

The Commissioner, Corporation of the City of Bangalore (thro' the Major)
" Controller, States Accounts Department, Bangalore
" Auditor, Corporation of the City of Bangalore

knr-4/5-7-51